REMARKS

Claims 1-24 are pending. None of the claims have been amended.

35 U.S.C. § 103 Rejections

Claims 1-2, 4-17 and 19-24

In paragraph 4, the Office Action states that Claims 1-2, 4-17 and 19-24 are rejected under 35 U.S.C. §103(a) as being unpatentable over Applicant's Admitted Prior Art (AAPA) in view of U.S. Patent No. 4,637,023 by Lounsbury et al. (referred to hereinafter as "Lounsbury"). Applicant has reviewed the cited references and respectfully submits that the claimed embodiments are neither anticipated nor rendered obvious by AAPA and Lounsbury, alone or in combination.

Claim 1 recites,

> A method of processing data comprising:
> when a software buffer index points to a first buffer containing processed data, synchronizing said software buffer index to a hardware buffer index by sequentially searching through a plurality of buffers containing data to determine whether there is a second buffer with unprocessed data; and
> if there is said second buffer with unprocessed data, resetting said software buffer index to a next available buffer having processed data following said second buffer, and otherwise stopping said searching when each buffer of said plurality of buffers has been searched and a buffer with unprocessed data is not found (emphasis added).

Applicant respectfully submits that Lounsbury does not teach or suggest, among other things, "if there is said second buffer with unprocessed data, resetting said software buffer index to a next available buffer having processed data following said second buffer," as recited by Claim 1.

Applicant respectfully agrees with the Office Action that AAPA does not teach,

> searching through a plurality of buffers containing data to determine whether there is a second buffer with unprocessed data; and if there is said second buffer with unprocessed data, resetting said software buffer index to a next available buffer having processed data following said second buffer, and otherwise stopping said searching when each buffer of said plurality of buffers has been searched and a buffer with unprocessed data is not found

as recited by Claim 1.

Referring to the abstract, Lounsbury teaches "Controller circuitry for a serially-recording magnetic tape drive which is capable of correcting writing errors by rewriting the portions of the data which have been erroneously recorded" (emphasis added). The Office Action asserts that Lounsbury teaches

> searching through a plurality of buffers containing data to determine whether there is a second buffer with unprocessed data; and if there is said second buffer with unprocessed data, resetting said software buffer index to a next available buffer having processed data following said second buffer , and otherwise stopping said searching when each buffer of said plurality of buffers has been searched and a buffer with unprocessed data is not found

as recited by Claim 1 at Col. 13 lines 3-37. However, no where does Lounsbury teach a software buffer index or "a next available buffer having processed data following said second buffer" where the second buffer has unprocessed data let alone teach or suggest, "if there is said second buffer with unprocessed data, resetting said software buffer index to a next available buffer having processed data following said second buffer," as recited by Claim 1. Nor would it make any sense for Lounsbury to teach "resetting said software buffer index to a next available buffer having processed data following said second buffer" where the second buffer has unprocessed data.

Therefore, Claim 1 should be patentable over AAPA and Lounsbury, alone or in combination, for at least the reason that neither AAPA or Lounsbury teach or suggest, among other things, "if there is said second buffer with unprocessed data, resetting said software buffer index to a next available buffer having processed data following said second buffer," as recited by Claim 1. Independent Claims 10 and 16 should be patentable for similar reasons that Claim 1 should be patentable.

Claims 2-9 depend on Claim 1. Claims 11-15 depend on Claim 10. Claims 17-24 depend on Claim 16. These dependent claims include all of the limitations that their respective independent claims include. Further, these dependent claims include additional limitations which further make them patentable. Therefore, these dependent claims should be patentable for at least the reasons that their respective independent claims should be patentable.

Claims 3 and 18

The present Office Action states that Claims 3 and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA in view of Lounsbury and further in view of U.S. Patent No. 5,860,001 by Cromer et al (referred to hereinafter as "Cromer"). Applicant has reviewed the cited references and respectfully submits that Claims 3 and 18 are neither anticipated nor rendered obvious by AAPA, Lounsbury, and Cromer, alone or in combination.

Claim 3 is dependent on Claim 1 and recites additional limitations, and Claim 18 is dependent on Claim 16 and recites additional limitations. As presented above, Applicant respectfully submits that AAPA, Lounsbury, and

Cromer, alone or in combination, do not show or suggest the limitations of Claims 1 and 16.

Applicant further submits that Cromer does not overcome the shortcomings of AAPA and Lounsbury. That is, Applicant respectfully submits that Cromer, alone or in combination with AAPA and Lounsbury, does not show or suggest the limitations of independent Claims 1 and 16 that are cited above, and as such Claims 1 and 16 are considered allowable over AAPA, Lounsbury, and Cromer.

Because Claims 3 and 18 depend on Claim 1 or 16 and recite additional limitations, Applicant respectfully submits that the basis for rejecting Claims 3 and 18 under 35 U.S.C. § 103(a) is traversed and that Claims 3 and 18 are also considered allowable.
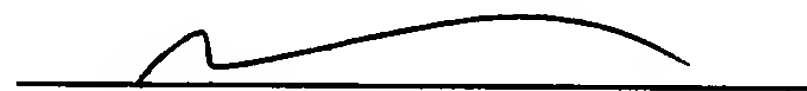
Conclusions

In light of the amendments and arguments presented herein, Applicant respectfully requests reconsideration of the rejected claims.

Based on the arguments presented above, Applicant respectfully asserts that Claims 1-24 overcome the rejections of record. Therefore, Applicant respectfully solicits allowance of these claims.

The Examiner is invited to contact Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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